



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, NOVEMBER 8, 2006**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

### **Hearing Officers**

**Susan Walton, Principal Planner**

**Mike Enderby, Acting Principal Planner**

**Joseph Horwedel, Acting Director  
Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **November 8, 2006**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Gina Robles ([gina.robles@sanjoseca.gov](mailto:gina.robles@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **H06-039. Site Development Permit** to allow construction of a 4,288 square foot fuel farm on a 15 gross acre site in the HI Heavy Industrial Zoning District, located at the easterly terminus of Aviation Avenue (1250 AVIATION AV Bldg E) (City of San Jose, Owner; San Jose Jet Center, Inc, Developer). Council District 3. SNI: None. CEQA: EIR Resolution #71451.
- b. **TR06-166. Tree Removal permit** to remove one Pine tree, 67 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1748 Oldtree Court (Wilma G And Moises M Quinones, Owners). Council District 4. CEQA: Exempt.
- c. **TR06-165. Tree Removal Permit** to allow the removal of one pine tree, 56 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located at 3184 Cayman Place (Charles G and Barbara J Thrash, Owners). Council District 4. CEQA: Exempt.
- d. **TR06-161. Tree Removal Permit** to remove one Pine tree, 75 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1433 Hillsdale Avenue (Nga B Thi Do and Kien C Dang, owners). Council District 9. CEQA: Exempt.
- e. **PDA04-021-02. Planned Development Permit Amendment** to allow Saturday construction at a previously approved residential project consisting of 242 single-family attached units on a 3.18 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Lick Avenue and West Alma Avenue (9685

TRACT) (Tamien Place Condos, Owner; Barry Swenson Builder Marianne Bacigalupi, Developer). Council District 6. SNI: Washington. CEQA: Mitigated Negative Declaration, File No. PDC02-072.

- f. **TR06-173. Tree Removal** request to remove one live Monterey Pine tree, 94 inches in circumference. The tree is located in the front yard of the property in the R-1-8 Single-Family Residence Zoning District, located at 3704 Rhoda Drive (Lezotte Linda J And Kelly Kenneth J Trustee, Owner). Council District 1. CEQA: Exempt.
- g. **TR06-097. Tree removal permit** to remove one walnut tree, 71 inches in circumference in the front yard of a single family house in the R-1-8 Single-Family Residence Zoning District, located at 2253 Datoro Drive (Vensel Kelly R And Evagelia P, Owner). Council District 1. CEQA Exempt
- h. **TR06-157. Tree Removal Permit** to allow the removal of one Black Elder tree, approximately 84 inches in circumference from the rear yard of a single-family detached residence on a 0.15 gross acre site in the R-2 Two-Family Residence Zoning District, located at 663 Miller Street (Fausto Ernesto, Owner). Council District 3. CEQA: Exempt.
- i. **SF06-044. Single Family House Permit** to restore the front porch and add a two-story addition containing approximately 560 square feet to the rear of an existing single-family residence in the Naglee Park Conservation Area in the R-1-8 Single-Family Residence Zoning District, located on the west side of S. 12th Street approximately 225 feet north of E. San Antonio Street (155 S 12TH ST) (Britcher Eric Et Al, Owner). Council District 3. SNI: University. CEQA: Exempt.
- j. **TR06-164. Tree Removal Permit** for one Ash tree 118 inches in circumference on a 0.18 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2493 Bachmann Court (Brya James R, Owner). Council District 6. CEQA: Exempt.
- k. **SP06-069. Special Use Permit** to legalize an existing retaining wall, six feet in height, on a 0.23 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the north side of Juliet Avenue approximately 200 feet east of Rosemar Avenue (850 JULIET AV) (Selway Timothy D And Leisa M, Owner). Council District 5. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

### 3. PUBLIC HEARING

- a. **SF06-018. Single Family House Permit** to demolish an existing single-family detached residence and construct a new two-story single-family detached residence containing 3,991 square feet with a floor area ratio (FAR) of 69.2 percent on a 0.13 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of N. 15th Street approximately 450 feet south of Jackson Street (548 N. 15<sup>th</sup> ST) (Garcia Epimenio And Rita, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. **Deferred from 10/25/06.**
- b. The projects being considered are located on the northwest corner of Olsen Drive and Hatton Street (378 SANTANA ROW), in the A(PD) Planned Development Zoning

District (FRIT San Jose Town & Country Village, LLC, David Bouquillon, Owner/Developer). Council District 6. SNI: None. CEQA: Final Town and Country Village EIR, EIR Resolution No. 68210. **Deferred from 10/25/06.**

1. **PD05-066. Planned Development Permit** to construct 238 residential units (Building 8B) at Santana Row on a 4.095 gross acre site.
  2. **PT06-082. Vesting Planned Tentative Map Permit** to subdivide 39 parcels into 244 lots for 238 single-family condominium and parking structure uses on a 4.09 gross acre site.
- c. **TR06-154. Tree Removal Permit** to remove 13 trees, of various species in an existing cemetery on a 16.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the southwest corner of Madden Avenue and South Capitol Avenue (2655 MADDEN AV) (Roman Catholic Bishop Of San Jose, Owner). Council District 5. CEQA: Exempt.
- d. **TR06-178. Tree Removal Permit** Application for the removal of one acacia tree, 80 inches in circumference, in the R-1-8(PD) Planned Development Zoning District, located at 7036 Via Serena (Alexander and Marina Furman, owners). Council District 2. CEQA: Exempt.
- e. **TR06-176. Tree Removal Permit** to remove one Monterey Pine tree 118" in circumference in the R-1-5 Single-Family Residence Zoning District, located at/on the 6957 Maiden Lane (6957 MAIDEN LN) (Conaway Steven L Trustee & Et Al, Owner). Council District 10. CEQA: Exempt.
- f. **PD06-030. Planned Development Permit** to construct 23 single-family detached, two- and three-story residences on a 1.83 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Lucretia Avenue and Phelan Avenue (Lucretia Development, Llc Myha Trieu, Developer). Council District 7. SNI: Tully/Senter. CEQA: Mitigated Negative Declaration.
- g. **PDA05-077-01. Planned Development Permit Amendment** for architecture, grading, and landscaping to a previously approved permit PD05-077 on a 29.6 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southwest corner of Monterey Road and Goble Lane. (9831 TRACT) (Roem Development Corp, Owner). Council District 7. SNI: None. CEQA: Goble Lane EIR Resolution No.72877, File No. PDC02-066.
- h. **RA05-001. Request for Reasonable Accomodation** pursuant to the American Disability Act, for 31 adult residents, with a typical length of stay of 30 days in the R-1-8 Single-Family Residence Zoning District, located at 1157 East Taylor Street (1157 E TAYLOR ST) (Licking Enterprises, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.

**This concludes the Planning Director's Hearing for November 8, 2006. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/default.asp>  
PUBLIC INFORMATION COUNTER  
(408) 535-7800 CITY OF SAN JOSE